

***Clark County
Clean Water Commission
2001 Annual Report***

To

***Clark County
Board of Commissioners***

Clark County
Department of Public Works
January 28, 2002

Clark County Clean Water Commission Members:

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On behalf of the Clark County Clean Water Commission I approve the 2001 Annual Report to the Board of Clark County Commissioners.

Dana Kemper, Chair

Date

Introduction and Background

The nine member Clark County Clean Water Commission (Commission) serves as an advisory body to the Board of Clark County Commissioners (BOCC) to provide advice and recommendations to the BOCC regarding Clean Water related issues. The Commission is charged with the following responsibilities:

- Represent a balanced interest in storm and surface water treatment and regulation;
- Make recommendations to the BOCC on such matters as the focus of the Clean Water Program, program service levels, budget, and policies on surface and stormwater issues;
- Provide oversight of the program budget and activities;
- Draft a recommendation to the BOCC for creating an incentive program through which service charges may be adjusted for property owners who significantly reduce the impacts of stormwater runoff from their property;
- Provide quarterly progress reports (reporting will be done by the Chair and Vice Chair of the Commission) and a written annual report, to the BOCC on the effectiveness of the Clean Water Management Program. This report will include the following:
 - establish and set forth the criteria for evaluating the effectiveness of the program;
 - a plan for goals and objectives in the upcoming year;
 - a summary of revenues and expenditures by watershed, zip code, or other easily identifiable geographic means;
 - a summary of public comments; and
 - clean water/stormwater program coordination among other agencies, groups, and citizens at large.

During 2001, the Clark County Clean Water Commission recognizes that, while it may have achieved most of the above requirements, it does need to continue developing a more complete Clean Water Program fee incentive program and tighter control over the program budget.

Actions in 2001

The Commission is providing enhanced oversight of Clark County's Clean Water Program and has been working in the public spotlight and behind the scenes to promote greater protection of local water resources. Their activities include the following:

- Several members of the Clark County Clean Water Commission spent time with Student Watershed Research Project (part of the Saturday Academy program to train students in water quality monitoring and science) and participated in testing various creeks in the Clark County area.
- In May some Clark County Clean Water Commissioners participated in the Student Watershed Summit in Forest Grove where students, including those from Clark County, presented their water quality research.
- Many Clark County Clean Water Commissioners gave presentations at local granges, the Clark County Fair, and at neighborhood associations to help the general public understand the benefits of clean water and the Clean Water Fee Program.
- Some Clark County Clean Water Commissioners attended meetings and trainings held by the Washington Department of Ecology in Olympia and Tacoma, Washington.
- All Clark County Clean Water Commissioners worked on an incentives program in order to make the clean water fee fair and equitable.

The Commission's efforts also included the following actions, motions, and recommendations:

1. The Clark County Clean Water Commission held 20 public meetings/work sessions during 2001.

***Results:** The Commission spent approximately 60 hours in public meetings and additional hours reviewing material to provide oversight of the Clean Water Program.*

2. The Clark County Clean Water Commission provided recommendations for additional public education.

***Results:** With suggestions from the Commission, Public Works staff developed a "do" and "don't" list that was mailed to over 54,000 Clean Water Program customers.*

3. The Clark County Clean Water Commission hired Jeanne Lawson Associates to facilitate and guide the planning process:

- Assist in confirming and defining Commission goals;
- Create program evaluation criteria and an assessment format (establish measurable criteria) to evaluate Commission goals;
- Develop an incentive program; and
- Compile annual report information.

***Results:** As seen in Appendix A, the Commission produced a set of work goals and an Annual Work Plan Format and Flowchart to ensure the Clark County Stormwater System discharges clean water. The Commission also spent several months reviewing 12 potential incentives for the Clean Water Program using three criteria: equitability, efficiency, and budgetary impact.*

Commission members studied each proposed incentive for fairness to all fee payers (equitability), ease to understand, administer and conduct (efficiency), and affordability (budgetary impact) (see Appendix B). This resulted in combining, eliminating, and generating new incentives. Discussion included input from upper level staff from the Department of Public Works, the Treasurer's Office and the Prosecuting Attorney's Office.

***Recommendation:** As shown in Appendix B, the Commission recommends an incentive for the owners of multi-family, commercial and industrial properties. The incentive allows up to a 75 percent fee deduction for property owners that meet the quality and quantity control criteria set forth.*

The Commission believes that they need to do much more work in developing incentives to reduce to Clean Water Fee for those that are protecting surface water and groundwater from stormwater-related erosion and pollution.

4. The Clark County Clean Water Commission actively sought grant opportunities in conjunction with Clark County Public Works staff.

***Results:** Clark County was awarded two grants by The Washington State Department of Ecology. The grants will promote coordination of water monitoring, sharing of equipment, data gathering for stormwater infrastructure needs, and support fish recovery work. Actual work on the grants will start in early 2002. Below is a brief overview of each grant.*

Monitoring Coordination and Resources Program Grant: This project will establish a shared “monitoring resource center” for the various monitoring and coordination needs of local agencies, students, and volunteers. The resource center will help coordinate monitoring activities; provide training to volunteers and local agency staff; maintain an equipment borrowing facility; and establish agreed upon indicators, data management, and reporting systems.

The program will help the county to address four specific problems:

- A gap in good field data on pollutants and the physical and biological condition of water bodies for use in making watershed management decisions due to inadequate staff resources, equipment and training.
- Poor coordination of efforts among local and state organizations in collecting information about Clark County water bodies.
- Lack of a centralized system to assemble water quality data and present it to local policy makers, managers, and the public.
- Few opportunities for volunteers and agency staff to be trained in collecting reliable data.

Watershed Characterization Grant: This project includes gathering data on the conditions of watersheds throughout Clark County. The type of data collected will include water quality, stream flow and rainfall information, channel habitat and buffer condition, biological indicators and land cover. This data will be collected from fieldwork as well as existing maps and other geographic information.

An important task included in the proposal is researching existing data collection efforts. Much of the information will be used to comply with the county’s National Pollution Discharge Elimination System (NPDES) permit for its stormwater system. It will also provide data to enable the Lower Columbia Fish Recovery Board (LCFRB) to prepare a recovery plan for listed species of salmonids in the county, including establishing priority habitat areas and projects. The work will be performed by Clark County and LCFRB staff as well as outside contractors and agencies.

5. The Clark County Clean Water Commission has been reviewing the Clean Water Program budget

Results: Dollars within each program element (regulation and enforcement, maintenance and operation, monitoring and evaluation, public education and outreach, capital, and administration and coordination) in the Clean Water Program budget have been adjusted to better address program needs. As seen in Appendix C, the Clean Water Program is under budget and any budget surplus will go into capital reserve.

Recommendations: Clark County Clean Water Commission members would like to see fewer funds spent on regulation and enforcement and education and more money spent on stormwater capital improvements that supports NPDES permit requirements. More specifically, the Commission believes development fees should cover the cost of inspecting development for water quality and erosion control issues. Some Commissioners think that funding for the Watershed Stewards Program should be reduced.

6. The Clark County Clean Water Commission provided oversight to and participated on the WSU-Cooperative Extension Service Watershed Stewards Advisory Committee

Results: The Commission is monitoring the effectiveness of this program and is concerned that the Watershed Stewards Program lacks community awareness or interest and may not be economically efficient. During 2001, the Watershed Stewards program trained 32 stewards, at a cost of about \$1,780 per person, for a total cost of about \$57,000.

7. Clark County Clean Water Commission members participated on the Clean Water Program Education Subcommittee

Results: Public Works staff along with input from the Commission developed a draft Public Information, Outreach and Involvement Plan to foster greater public awareness.

8. Clark County Clean Water Commissioners participated on the Water Quality Monitoring Subcommittee

Results: The Commission became more educated about the Clark County's NPDES water quality monitoring program. Commissioners were disappointed at the implementation rate of the monitoring effort. The Commissioners feel that monitoring should be a top priority because it is vital to determining the success of Clean Water Program activities.

9. The Clean Water Commission sought greater water resources monitoring using the Saturday Academy Student Watershed Research Project, schools, other local jurisdictions, etc.

Results: As suggested by the Commission, Public Works staff contacted Washington State University, Vancouver Campus to coordinate water quality education with area school students. The University declined the coordination role but is willing to work with the county and local schools on specific water quality projects. County staff is working with the City of Vancouver's, Water Resource Center staff in developing a coordinated water quality educational program to teach interested schools about water testing and ways to reduce water problems. Staff is also in contact with teachers from the Saturday Academy Student Watershed Research Project (SWRP) to provide a mechanism to teach teachers how to implement water quality testing into school science programs. Through a coordinated effort with WSU-V, City of Vancouver, and SWRP, more students in Clark County will become skilled at testing water quality and about the need for protecting local surface water and groundwater from pollution.

10. Clark County Clean Water Commission presented to the Board of County Commissioners the 2000 Clean Water Program Annual Report.

Results: The Commission provided the BOCC with an overview of 2000 Clean Water Program activities and recommendations for improvements.

11. Clark County Clean Water Commissioners provided education via Local Media
Using the local media, including CVTV (Close-Up episode about the Clean Water Program), the Commission was able to educate the public about the need for a Clean Water Program, and who to contact if they have questions about their Clean Water fee.

Results: *More customers know about the need for the Clean Water Program and who to contact if they have questions about their Clean Water fee.*

12. The Clark County Clean Water Commission is involved with other environmental agencies

Result: *The Commission participating with other environmental agencies, such as the County's Endangered Species Act program.*

Motions:

2001-0117-01: Motion passed

The Clean Water Commissioners shall establish an ad hoc committee to develop a scope and submit a request that a facilitator be hired to assist the Clean Water Commission in developing an incentive plan and other tasks as determined by the Clean Water Commission.

Motion 2001-0207-02: Motion passed

To accept Mr. Vaughn Brown's proposal with the following modifications to the Process Outline:

- Process III. Develop Incentive Program Recommendation will be changed to Number 1.
- Process I – Confirm and Define Clark County Clean Water Program Goals will be changed to Number 2, and completed in one meeting.
- Process II – Create Evaluation Criteria and Assessment Format will be changed to number 3.
- Process IV – Compile Annual Report Information will continue to stay as Number 4.

Motion 2001-0307-03: Motion withdrawn

Proposal for the Clean Water Commissioners to take a position on shoreline protection and notify our legislators and County Commissioners of our position.

Motion 2001-0307-04: Motion failed

We ask the Clark County legislatures to protect adequate natural areas along our shorelines, furthermore, when in doubt, we ask you to err on the side of the resource.

Motion 2001-0321-05: Motion passed

Move to accept the draft ground rules as submitted.

Motion 2001-0404-06: Motion passed

Move for this Commission actively pursue the idea of collaboration with SWRP.

Motion 2001-0516-07: Motion failed

Move to allow a reduction for infrequently used facilities.

Motion 2001-0516-08: Motion failed

Move that infrequently be defined as once a week.

Motion 2001-0516-09: Motion passed

Move to have County staff explore if there is a legal way to provide relief to infrequently used facilities.

Motion 2001-0516-10: Motion passed

Move to add one page of information on do's and don'ts, for the home owner about keeping pollution out of the water, to the clean water fee billing.

Motion 2001-0815-11: *Motion passed*

To set aside the single-family incentives until it is feasible to implement

Motion 2001-0815-12: *Motion passed*

To accept the numbers as proposed on the sheet (Summary of findings for Proposed Incentive No. 1, handed out at the 8/15/01 meeting) with the 13 percent, 33 percent for water quality. Thirty-three percent and 66 percent for the retention and detention numbers and that they get applied to a 75 percent of the total reduction of the fee. Seventy-five percent is the maximum allowed (see Appendix B).

Recommendations

Clark County Clean Water Commissioners feel that the Clark County Board of Commissioners should act upon the following recommendations:

1. Remove funding for the Clark County Department of Community Development erosion control inspectors from the Clean Water Program budget. (Developer fees already cover this activity.) This would free up money for other program needs.
2. Reduce funds for duplicative educational efforts and/or inefficient programs.
3. Consider replacing Clean Water Commission members when their term is complete to allow new ideas into the Clean Water Commission.
4. Consider subletting the County's testing program to conserve money and get something done; for example partner with Clark Public Utilities.

Next Steps

In 2002, the Clean Water Commission will focus on the following priorities:

1. Continued work on an incentives program.
2. A timely review in greater detail of the Clean Water Program Budget.
3. Implementing a more aggressive stormwater capital improvement effort that meets NPDES permit requirements (e.g., address stormwater outfall locations of concern, etc.).
4. Implementing Clean Water Program enhancements as identified by the Clark County Auditor's Office
5. Focus on reviewing monitoring results to determine the type and extent of future Clean Water Program work.

Appendix A

Clark County Clean Water Commission Program Planning Overview

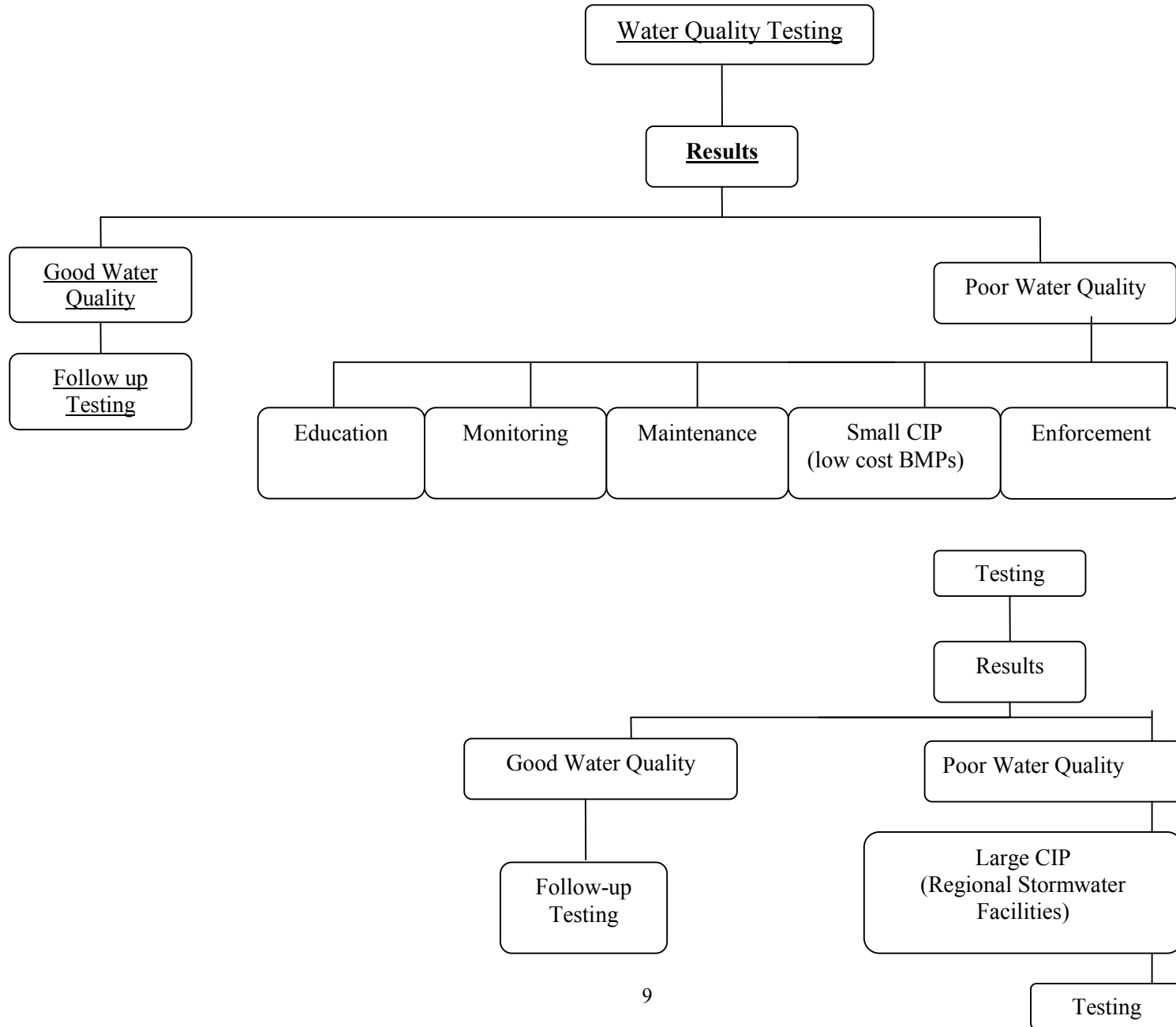
The Clark County Clean Water Commission provided the following overview, during a series of facilitated working sessions from March to September 2001. Commissioners sifted through a long list of goals from the Clark County Clean Water Funding Ordinance (CCC 13.30A), 2000 Clean Water Commission Annual Report, public input during clean water fee development, and the NPDES permit. The Commission developed the following work mission, goals, objectives, annual work plan format, as well as an action plan and evaluation flowchart.

Clark County Clean Water Commission Annual Work Plan Format

<i>Mission: Ensure that the Clark County stormwater system discharges clean water</i>			
Goals	Objectives	Outputs	Results/Measures
1. Institute and oversee the water quality-monitoring program.	Test watersheds and drainage systems for water quality conditions. Standardize Water Quality measurement and tracking	Stormwater quality database Hot spot action list Water quality measurement standards and guidelines	Testing program that covers the county within 5 years. Hot spots action plan and progress reports Usable, reliable test data contributed from non-County sources
2. Meet all NPDES Permit requirements within established timelines.	Maintain permit implementation schedule.	Washington Department of Ecology (WDOE) required annual report: <ul style="list-style-type: none"> • Regulatory/Enforcement • Monitoring • Operations & Maintenance • Public Education/Involvement • Capital Improvements 	Submit an annual report of the County's NPDES Permit activities to the WDOE

Goals - continued	Objectives - continued	Outputs – continued	Results/Measures - continued
3. Provide fiscal accountability	Improve effectiveness of program expenditures	Effectiveness criteria and evaluation checklist	Annual budgeted evaluation report using Commission developed effectiveness standards.
4. Provide opportunities for Public Involvement and Education	Coordinate an efficient and public outreach/education effort.	Public Information/Education Plan	Outreach report using Commission developed effectiveness criteria

Program Effectiveness Criteria: Action Plan and Education Flowchart



Appendix B

Clark County Clean Water Commission Clean Water Fee—Incentive Program

The purpose of the clean water fee incentive program is to: a) reduce the discharge of pollutants, b) lessen impacts to receiving water, c) eliminate illicit discharges, and d) make progress toward compliance with surface water and groundwater standards. Before considering any incentive options, an incentive evaluation criterion was developed by the Clean Water Commission (Commission). Each incentive proposal or idea was required to pass a test. The incentive idea must be:

- Equitable or fair to all fee payers (those that own property in unincorporated Clark County);
- Effective at accomplishing or addresses incentive program purposes;
- Efficient or easy to understand, administer, and conduct; and
- Affordable to implement (will it adversely impact the Clean Water Program budget?).

Initially (March 2001), the Commission developed and reviewed 12 potential incentives option ideas:

1. A percent reduction in the clean water fee if water quality treatment is performed on-site.
2. Households with an active watershed steward are exempt from the “base” fee.
3. Revisit the equity of the fee structure (number multifamily units versus measured square feet, and commercial/industrial fee based on impact versus the amount of hard surface)
4. Establish units of measurements for water quality, quantity, etc.
5. Those who provide a public service (e.g., test water quality, plant trees, educate kids about water quality protection (River Ranger) work, etc.), should receive a reduction of their fee.
6. Within the Salmon Creek watershed, allow a reduction of the fee if the customer filtrates stormwater runoff.
7. Allow the fee to increase when customers do not implement “Best Management Practices” (BMPs) or good housekeeping measures.
8. Allow a reduction of the fee for those who implement source control BMPs on-site.
9. A fee reduction (flat dollar amount) for an approved Clean Water Plan for the parcel.
10. A fee reduction (percentage reduced) for an approved Clean Water Plan for the parcel.
11. A fee reduction for those who plant trees on the south side of creek beds and remove blackberries along creeks.
12. A fee reduction for protection and restoration of stream buffers.

By April 2001, the Commission had reviewed, modified (combined or eliminated ideas), and generated a new list of ideas. The Commission began to focus on incentive ideas specific to business and homeowners. The Commission thought it appropriate to allow a fee reduction if:

1. A business upgraded its water quality treatment or if a new business installed water quality treatment above what is required by code.
2. A business installed source control measures on-site.
3. The owner of a facility (i.e., church, grange hall, etc.) can show it is seldom used.

4. Single-family residential owners provide public service contribution (e.g., test water quality, plant trees along streams on their property, educate kids about water quality protection (River Ranger) work, etc.) or participate in a county approved program such as Watershed Stewards.
5. Single-family residential owners implement a USDA Natural Resources Conservation Service plan to manage horses, cattle, and other livestock, or implement the Washington Department of Natural Resources forest management or other related plans that assist in controlling adverse impacts to local surface water.
6. Single-family owners participate in an education night (learn about BMPs that can be used to better manage auto, lawn, and household chemicals around the house).

During May through September, the Commission and Public Works staff formed a subcommittee to determine if the above incentive ideas are equitable, effective, efficient and affordable. They determined that it is feasible (although it will reduce money for stormwater capital improvements) to allow a fee reduction for businesses that implement stormwater treatment and volume control on-site. It is difficult to define “an infrequently used facility”, thus no fee reduction is advisable. Single-family residential owners would not likely take advantage of a small fee reduction and the implementation and administration costs would be high.

After much work, the Commission revised its reduction for business into the following Clean Water Fee incentive.

Proposed Incentive No. 1

A fee reduction will be granted based on the use of on-site stormwater management BMPs. This incentive applies to Type 3 and 4 Fees (multi-family, commercial and industrial, excluding public roads).

The reduction in fee is conditioned upon:

- Certification that the system meets the criteria required (see below)
- The certification remains on file on site.
- An annual maintenance and condition report is filed which includes a no-modification declaration, which includes both structural and use changes.

The amount of fee reduction will be based on the following criteria:

- | | |
|---|---------------|
| <ul style="list-style-type: none"> • The site <i>controls</i> the quality of storm runoff in accordance with Clark County Water Quality Standards 1995-1999, | 13% reduction |
| or | |
| <ul style="list-style-type: none"> • The site <i>controls</i> the quality of storm runoff in accordance with 1992 DOE Puget Sound Manual or equivalent, | 33% reduction |
| or | |
| <ul style="list-style-type: none"> • The site <i>detains</i> storm runoff in accordance with the 1992 DOE Puget Sound Manual or equivalent, | 33% reduction |
| or | |
| <ul style="list-style-type: none"> • The site <i>retains</i> storm runoff in accordance with the 1992 DOE Puget Sound Manual or equivalent | 66% reduction |

The total reduction will consist of the sum of activities (above) for both water quality and quantity controls.

The maximum amount of reduction or cap will be formulated on the basis of estimated benefit of the BMPs to the Clean Water Program.

Based on the available data, which is being refined, the possible range for this cap is

40-75 %

(note the CWC requested that the percentage be set as close to 75% as possible)

This cap is based on the assumption that there is a basic level of service that all accounts are liable for.

Based on this range, the possible budget implications for the program are as follows:

25% participation by eligible sites:	\$60,000
50% participation by eligible sites	\$120,000
75% participation by eligible sites	\$180,000

Appendix C

Clean Water Program 2001 Budget

(Period Ending December 31, 2001)

**Please contact the Water Resources Section for information regarding the
Clean Water Program 2001 Budget. 360-397-6118 ext. 4345*